

AMENDED IN SENATE JULY 9, 2003
AMENDED IN SENATE JULY 7, 2003
AMENDED IN SENATE JUNE 23, 2003
AMENDED IN ASSEMBLY JUNE 2, 2003
AMENDED IN ASSEMBLY APRIL 23, 2003
AMENDED IN ASSEMBLY APRIL 1, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 938

Introduced by Assembly Member Yee

February 20, 2003

An act to add Sections 2987.2, 4984.75, and 4996.65 to the Business and Professions Code, and to add Article 4 (commencing with Section 128454) to Chapter 5 of Part 3 of Division 104 of the Health and Safety Code, relating to health professions, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 938, as amended, Yee. Mental health professions: educational loan reimbursement: funding.

Existing law requires the Office of Statewide Health Planning and Development to establish a nonprofit public benefit corporation known as the Health Professions Education Foundation to perform various duties with respect to implementing health professions scholarship and loan programs.

Existing law provides for the Registered Nurse Education Program within the foundation under which persons who agree in writing prior to graduation to serve in an eligible county health facility, an eligible state-operated health facility, or a health manpower shortage area are eligible for scholarship and loan repayment. Existing law establishes in the State Treasury the Registered Nurse Education Fund and provides for the appropriation of money in the fund annually in the Budget Act for purposes of the Registered Nurse Education Program.

This bill would similarly establish the Licensed Mental Health Service Provider Education Program. The bill would require the foundation to develop the program, as prescribed, to provide grants to licensed mental health service providers, as defined, who provide direct patient care in a publicly funded facility or a mental health professional shortage area, as defined. The bill would establish in the State Treasury the Mental Health Practitioner Education Fund with moneys in the fund continuously appropriated, commencing July 1, 2004, to the office for expenditure for purposes of the program.

Existing law provides for the licensure and regulation of psychologists by the Board of Psychology and marriage and family therapists and licensed clinical social workers by the Board of Behavioral Sciences. Existing law requires these regulatory boards to charge license renewal fees.

This bill would require these boards to charge these licensees, at the time of license renewal, an additional specified assessment fee. The bill would require the boards to transfer the fee amounts to the Controller for deposit in the Mental Health Practitioner Education Fund established under the bill. Moneys in the fund would be used, upon appropriation by the Legislature, for the Licensed Mental Health Provider Education Program.

Vote: majority. Appropriation: yes. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) An adequate supply of licensed mental health service
- 4 providers is critical to ensuring the health and well-being of the
- 5 citizens of California, particularly those who live in multicultural,
- 6 linguistically diverse, and medically underserved areas.



1 (b) The California Mental Health Planning Council has
2 identified the shortage of human resources at all levels as one of
3 the most urgent issues facing the mental health system. The
4 shortage is most acute for child psychiatrists, licensed clinical
5 social workers, and especially for multilingual and multicultural
6 staff in all mental health occupations.

7 (c) In an effort to address the crisis facing the mental health
8 system, the California Mental Health Planning Council developed
9 the Human Resources Project that is directed by its Human
10 Resources Committee. Beginning in 2001, the project convened
11 focus groups targeting social workers from three of the most
12 prevalent ethnic communities: Latino, Asian/Pacific Islander, and
13 African-American. The focus groups were conducted in
14 collaboration with the California Institute for Mental Health and
15 funded by the State Department of Mental Health and the
16 Zellerbach Family Fund.

17 (d) The Human Resources Project's September 2002 report
18 entitled "Human Resources Pilot Ethnic Focus Group Project:
19 Summary of Recommendations" found that financial barriers to
20 practice was the primary reason cited by the participants. All
21 participant groups indicated that they had encountered serious
22 difficulty in meeting the expenses of graduate school while
23 struggling with living and child care expenses. All groups
24 advocated for additional forms of financial assistance, like the loan
25 forgiveness programs currently available to doctors and nurses.

26 SEC. 2. Section 2987.2 is added to the Business and
27 Professions Code, to read:

28 2987.2. In addition to the fees charged pursuant to Section
29 2987 for the biennial renewal of a license, the board shall collect
30 an additional fee of ten dollars (\$10) at the time of renewal. The
31 board shall transfer this amount to the Controller who shall deposit
32 the funds in the Mental Health Practitioner Education Fund.

33 SEC. 3. Section 4984.75 is added to the Business and
34 Professions Code, to read:

35 4984.75. In addition to the fees charged pursuant to Section
36 4984.7 for the biennial renewal of a license pursuant to Section
37 4984, the board shall collect an additional fee of ten dollars (\$10)
38 at the time of renewal. The board shall transfer this amount to the
39 Controller who shall deposit the funds in the Mental Health
40 Practitioner Education Fund.

1 SEC. 4. Section 4996.65 is added to the Business and
2 Professions Code, to read:

3 4996.65. In addition to the fees charged pursuant to Section
4 4996.6 for the biennial renewal of a license, the board shall collect
5 an additional fee of ten dollars (\$10) at the time of renewal. The
6 board shall transfer this amount to the Controller who shall deposit
7 the funds in the Mental Health Practitioner Education Fund.

8 SEC. 5. Article 4 (commencing with Section 128454) is
9 added to Chapter 5 of Part 3 of Division 104 of the Health and
10 Safety Code, to read:

11
12 Article 4. Licensed Mental Health Service Provider Education
13 Program
14

15 128454. (a) There is hereby created the Licensed Mental
16 Health Service Provider Education Program within the Health
17 Professions Education Foundation.

18 (b) For purposes of this article, the following definitions shall
19 apply:

20 (1) "Licensed mental health service provider" means a
21 psychologist, marriage and family therapist, and licensed clinical
22 social worker.

23 (2) "Mental health professional shortage area" means an area
24 designated as such by the Health Resources and Services
25 Administration (HRSA) of the United States Department of
26 Health and Human Services.

27 (c) Commencing January 1, 2005, any licensed mental health
28 service provider who provides direct patient care in a publicly
29 funded facility or a mental health professional shortage area may
30 apply for grants under the program to reimburse his or her
31 educational loans related to a career as a licensed mental health
32 service provider.

33 (d) The Health Professions Education Foundation shall make
34 recommendations to the director of the office concerning all of the
35 following:

36 (1) A standard contractual agreement to be signed by the
37 director and any licensed mental health service provider who is
38 serving in a publicly funded facility or a mental health professional
39 shortage area that would require the licensed mental health service
40 provider who receives a grant under the program to work in the



publicly funded facility or a mental health professional shortage area for at least one year.

(2) The maximum allowable total grant amount per individual licensed mental health service provider.

(3) The maximum allowable annual grant amount per individual licensed mental health service provider.

(e) The Health Professions Education Foundation shall develop the program, which shall comply with all of the following requirements:

(1) The total amount of grants under the program per individual licensed mental health service provider shall not exceed the amount of educational loans related to a career as a licensed mental health service provider incurred by that provider.

(2) The program shall keep the fees from the different licensed providers separate to ensure that all grants are funded by those fees collected from the corresponding licensed provider groups.

(3) *A loan forgiveness grant shall be awarded to a qualifying applicant in thirds, corresponding with the completion of each third of the applicant's contractual agreement.*

(4) The number of persons who may be considered for the program shall be limited by the funds made available pursuant to Section 128458.

128456. In developing the program established pursuant to this article, the Health Professions Education Foundation shall solicit the advice of representatives of the Board of Behavioral Science Examiners, the Board of Psychology, the State Department of Mental Health, the California Mental Health Directors Association, the California Mental Health Planning Council, professional mental health care organizations, the California Healthcare Association, the Chancellor of the California Community Colleges, and the Chancellor of the California State University. The foundation shall solicit the advice of representatives who reflect the demographic, cultural, and linguistic diversity of the state.

128458. There is hereby established in the State Treasury the Mental Health Practitioner Education Fund. Notwithstanding Section 13440 of the Government Code, commencing July 1, 2004, the money in the fund is continuously appropriated to the

- 1 office for expenditure without regard to fiscal years for purposes
- 2 of this article.

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